

Court of Appeals, State of Michigan

ORDER

People of MI v Davon Lamont Miller

Docket No. 356094

LC No. 16-005653-02-FC

Thomas C. Cameron
Presiding Judge


Karen M. Fort Hood

Anica Letica
Judges

The motion to waive fees is GRANTED for this case only.

Pursuant to MCR 7.205(E)(2), in lieu of granting the application, the trial court's June 30, 2020 order is VACATED, and the matter REMANDED for reconsideration of defendant's motion for relief from judgment. The trial court's order does not reflect that all of the issues raised in the motion were considered. On remand, the trial court is directed to reconsider the motion, ensuring that all issues raised in the motion are addressed. See MCR 6.504(B)(2) (requiring the trial court's order to "include a concise statement of the reasons for the denial"); *People v Finnie*, 504 Mich 968 (2019) (remanding for reconsideration of a motion for relief from judgment because a conclusory statement that the motion lacked merit does not satisfy MCR 6.504(B)(2)).

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.


Presiding Judge

Fort Hood, J., would grant the delayed application for leave to appeal.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

May 26, 2021

Date


Chief Clerk